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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/697,238      | 10/31/2003  | Kazuo Okada          | SHO-0046            | 9021             |

23353 7590 05/03/2006

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| EXAMINER |
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HSU, RYAN

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| ART UNIT | PAPER NUMBER |
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3714

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                     |  |
|------------------------------|--------------------------------------|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/697,238 | <b>Applicant(s)</b><br>OKADA ET AL. |  |
|                              | <b>Examiner</b><br>Ryan Hsu          | <b>Art Unit</b><br>3714             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2004.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/25/05; 11/19/04; 5/26/05; 6/24/04;</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loose et al. (EP 1,260,928 A2).**

Regarding claim 1, Loose teaches a gaming machine comprising: variable display means for variable displaying symbols. Additionally, Loose teaches an electric display device disposed in front of the variable display means, and having a light transparent area, which shows symbols, displayed on the variable display means, from outside of the gaming machine (*see Fig. 5-6 and the related description thereof*). Furthermore, Loose teaches an electric display device that includes an electric display panel display an image and illumination means illuminating the electric display panel from therebehind (*see video display [14b] of Fig. 2b and the related description thereof*). However, Loose does not specifically teach an embodiment of his invention implementing a light emitting diode. Although, Loose does teach that a video display may comprise of any type of video display known in the art from a CRT, LCD, dot matrix, LED, or electro-luminescent (*see col. 3: ln 33-40*). Therefore it would be obvious to one of routine skill in the art at the time the invention was made to incorporate a LED display device as opposed to an LCD as taught in Loose in order to create an illumination means for a variable display device.

Regarding claim 2, Loose teaches a gaming machine wherein the electric display device comprises a light guiding plate (*see mirror [20] of Fig 2b and the related description thereof*) that guides light entered from a side face thereof, to a back face of the electric display device, so as to irradiate the light (*see Figs. 5-6 and the related description thereof*); and wherein the illumination means comprises a plurality of the light emitting diodes, each of which is continuously aligned along a side face of the light guiding plate (*see display [14b] and mirror [20] of Fig. 2b and the related description thereof*).

**Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Loose et al. as applied to claims above, and further in view of Seitz et al. (WO 00/49332).**

Regarding claim 3, Loose teaches a game machine wherein the illumination means comprises a plurality of light emitting diodes as taught above. However Loose does not provide a formation of a matrix on an entire surface of the electric display device excluding the light transmitting area, the light emitting diodes opposing a back face of the electric display device. In a related teaching of LED devices, Seitz teaches an apparatus used in fuel dispensers that incorporates LED backlighting (*see abstract*). Seitz teaches the formation of placing LED's to backlight a liquid crystal display in a matrix configuration in order to eliminate the substantial absence of "non-lit" areas (*see abstract, pg. 3: ln 13-pg. 5: ln 9*). Seitz's configuration and backlighting LED device is taught as a solution to eliminate the inherent problem of LED backlighting commonly known as "hot-spot" lights which is an undesirable characteristic of using LEDs (*see pg 2: ln 3-25*). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the matrix configuration as taught by

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Seitz with the backlighting display apparatus of Loose in order to eliminate the same problem while being able to take advantage of the bright and stimulating display provided by LED's.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Weiss (US 6,164,645)**- Gaming Machine.

**Sakamoto (US 6,315,663 B1)**- Game Machine and Method With Shifting Reels in Two Directions.

**Motegi et al. (US 6,817,946 B2)**- Virtual Image and Real Image, Image Display Control Method, and Image Display Control Program.

Any inquiry concerning this communication or earlier communication from the examiner should be direct to Ryan Hsu whose telephone number is (571)-272-7148. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert P Olszewski can be reached at (571)-272-6788.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 1-866-217-9197 (toll-free).

  
RH

  
**JOHN M. HOTALING, JR.**  
**PRIMARY EXAMINER**